

AUGUST 12, 2009

The Regular Town Board Meeting was called to order at 8:00 pm by Supervisor Michael Kasprzyk at 47 Pearl St., Holland, NY.

OFFICIALS PRESENT WERE:

COUNCILMAN JAMES BRITT
COUNCILMAN GEOFFREY HACK
COUNCILWOMAN ROBERTA HERR
COUNCILWOMAN KAREN KLINE

OTHER OFFICIALS PRESENT WERE:

ATTORNEY RONALD BENNETT
WATER COMMISSIONER JAMES ZBYTEK
BOOKKEEPER JILL ZIENTEK
ENGINEER DAVID PRATT
DOG CONTROL OFFICER BILL NEWELL
ZONING ENFORCEMENT OFFICER MICHAEL SLUCE
ASSESSOR MARCIA HAZLETT

RESOLUTION #74

Motion made by Councilwoman Kline and seconded by Councilwoman Herr, resolve the Town of Holland approve the minutes of the July Board Meeting. ALL AYES. CARRIED.

LOVELL SAFETY

No claims were made for the year and at the close of the accounting for the policy year 7/1/07-08 a 20% dividend was declared for Safety Group #496. For the policy year that began on 7/1/09 there is a 25% advance discount.

ERIE COUNTY HEALTH DEPT.

Town Water System: they have withdrawn a couple, they have asked for clarification of findings on a couple – they are asking for plans to basically to bring the second well on stream.

Towns plan would be two fold:

1. Submit a plan for Block grant funding
2. If we don't get the funding then the town would wait until they retire bonds that were issued when they drilled the well in the first place and then go ahead with the chlorination and running the power to it.

Will draft a formal reply to the Erie County Health Dept.

BUILDING PERMITS – for repair items – if it's a new roof on an existing building it does require a permit. The fee is \$5.00. Supervisor stated to clear things up – if it's just a window replacement or siding replacement where there is no structural change there would be no permit required.

BOYS AND GIRLS CLUB – would like a letter from the town stating that they have the correct permits and the towns blessing to proceed with their project.

Supervisor will draft a letter on behalf of the town board.

3rd Party Billing – EMS Squad – moving ahead – they have retained an attorney for his advise. Intent would be to form a not for profit company within the fire company. That then would give them the mechanism to go ahead with the third party billing.

COMMITTEE REPORTS

Buildings – Councilman Britt: waiting on the contractors to finish at the community center and also the town hall heating.

Planning Board Liaison – Councilwoman Kline: Henry Secord – 18 N. Main St. needs to go to the Board of Appeals for a variance.

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Lynette Kemp – special use permit for a produce stand – leasing from the Zider Zee. Planning board recommends a special use permit.

Town Park & Community Center – Councilman Hack: highway department is working on additional parking

Environmental Committee – Councilman Britt: working on clean air and water issues.

Beautification – Councilwoman Herr: met with the Kiwanians to see what committees take care of what areas. Since Mr. VanSplunder is retiring – they coordinating the jobs that he used to do. Hanging Baskets were damaged in the parking lot.

ZONING ENFORCEMENT OFFICER’S REPORT – Michael Sluce: report given

BUILDING INSPECTOR’S REPORT – Scott Hess: report given

WATER COMMISSIONER’S REPORT – James Zbytek: report given

HIGHWAY SUPERINTENDENT’S REPORT – Pat Joyce: report given.
New truck is in and waiting for plow & hardware

DOG CONTROL OFFICER’S REPORT – Bill Newell: report given.

Jim Petrie – commented on the Ford Dealer property. The lights got turned off but the fence is ready to fall in. They put a stake in to hold it up. Fences need to be maintained.
Water Problem – new line from middle of parking lot to the road needs to be larger in order to accept all the water.

LYNETTE KEMP – request for special use permit for a produce stand next to the Zider Zee.

RESOLUTION #75

Motion made by Councilman Hack and seconded by Councilwoman Kline, resolve the Town of Holland approve the Special Use Permit for Lynette Kemp for a produce stand next to the Zider Zee pending a favorable ruling from Erie County (239M) . Signage is portable signs. ALL AYES. CARRIED.

COURT

RESOLUTION #76

Motion made by Councilman Hack and seconded by Councilman Britt, resolve the Town of Holland authorize the Supervisor to sign the 2009 Justice Court Assistance Program Grant. ALL AYES. CARRIED.

ROAD SALT

RESOLUTION #77

Motion made by Councilman Hack and seconded by Councilman Britt:

WHEREAS, New York State mandates where municipalities can purchase their winter road salt, and

WHEREAS, the Town of Holland and many other small municipalities must contract with the State of New York to purchase road salt from the state bid contract before knowing the price charged by the State for that winter season, and

WHEREAS, the budgets of smaller municipalities can be effected greatly by the price of road salt, and

WHEREAS, larger government entities (such as Erie County) bid their winter road salt needs on a yearly basis and sometimes get a lower price from the State than do the smaller municipalities, and

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WHEREAS, the smaller municipalities are currently locked into a higher road salt price with the State than are larger municipalities. The State is charging the Town of Holland more for road salt (at \$40.12/ton) than it is charging the county of Erie (at \$37.22/ton).

WHEREAS, it is patently unfair for the State to require municipalities to buy road salt from the State without disclosing the price than charge different prices for the same road salt to different municipalities; now

THEREFORE BE IT RESOLVED, that the Town of Holland believes that the State Senate and Assembly should make a law to allow smaller government agencies to chose the lowest salt price when contracts are presented to them by the State, and be it further

RESOLVED that the Town of Holland believes that the price of salt be given by the State before contracts are let to small municipalities; and be it further

RESOLVED, that the Holland Town Clerk is directed to send copies of this Resolution to: Assemblyman Quinn, Senator Volker, Governor Paterson, County Executive Collins and to the Towns in Erie County.

This Resolution shall take effect immediately.

ALL AYES. CARRIED.

Bonnie Meahl-Rowe – 9568 East Holland Rd. – requests a Special Use Permit for farm animals- specifically 2 horses and/or 1 heifer and no more than 25 chickens. 12x40 building is to be moved onto the property. The turnout building site and land survey with measured out building location, manure/compost location, and pasture area that will consist of metal T posts with double wire enclosure for larger livestock. The chickens will be housed in a 10x12 coup and contained in a fenced area approximately 14x40.

RESOLUTION #78

Motion made by Councilwoman Kline and seconded by Councilwoman Herr, resolve the Town of Holland refer Bonnie Meahl-Rowe to the Planning Board for her request for a Special Use Permit to have farm animals. ALL AYES. CARRIED.

OLD BUSINESS:

INCIDENTAL FEES – Councilman Hack made a motion to make the permit fee for incidental repairs to \$0. Motion died for a lack of a second. Fee will stay as made at last months meeting.

COMMENTS FROM THE PUBLIC

Mrs. Hereth – wanted to know who is in charge of the snack shake at the park - Someone broke into it. Park closes at 10:00 pm – Will have the Constables and State Police patrol frequently.

Jim Petrie – commended Councilman Hack on his concern for the fee for the incidental repairs. Should be encouraging people to fix up their houses.

Ralph Lowe – the historical society building got flooded. Fire Dept. is going to repave – so will have them check about the drains etc.

KEN TANNER – dedication of the Fire Hall on Hunters Creek Rd. will be in memory of Ken Tanner on Sunday the 23rd at 2:00 pm.

RESOLUTION #79

Motion made by Councilwoman Kline and seconded by Councilman Hack, resolve the Town of Holland pay the following vouchers:

General District Claims	#334-386	in the amount of \$22,228.71
as set		
Forth in Abstract A-8		

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Highway District Claims as set Forth in Abstract DA-8	#85-100	in the amount of \$115,269.44
Water District Claims as set Forth in Abstract SW-8	#56-62	in the amount of \$3,846.83
Light District Claims as set Forth in Abstract SL-8	#8	in the amount of \$1,606.23
Garbage District Claims as set Forth in Abstract SR-8	#9	in the amount of \$19,916.30
Trust & Agency Claims as set Forth in Abstract TA-8	#35-36	in the amount of \$5,532.99
Cemetery District Claims as set Forth in Abstract CM-8	#28-31	in the amount of \$2,594.03

ALL AYES. CARRIED.

RESOLUTION #80

Motion made by Councilwoman Kline and seconded by Councilman Hack, resolve the Town of Holland adjourn in at 8:48 pm memory of:

- Steve Avery
- William Northrup
- Jean Vastola
- Roger Thompson

ALL AYES. CARRIED.

RESPECTFULLY SUBMITTED:

SANDRA SMITH
TOWN CLERK